IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant:	Amitabh *et al.*	**Conf. No.:**	9419
Serial No.:	10/630,392	**Art Unit:**	3628
Filing Date:	07/30/2003	**Examiner:**	Robinson Boyce, Akiba K.
		Docket No.:	CHA920030017US1 (IBMC-0072)

Title: CUSTOMER RELATIONSHIP MANAGEMENT SYSTEM WITH
COMPLIANCE TRACKING CAPABILITIES

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APPEAL BRIEF OF APPELLANTS

This is an appeal from the Office Action dated June 11, 2009 rejecting claims 1-26. This Brief is accompanied by the requisite fee set forth in 37 C.F.R. 1.17(c).

REAL PARTY IN INTEREST

International Business Machines Corporation is the real party in interest.

RELATED APPEALS AND INTERFERENCES

Appellant is not currently aware of any prior or pending appeals, interferences or judicial proceedings which may directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

STATUS OF CLAIMS

As filed, this case included claims 1-26. Claims 1-26 remain pending and claims 1-26 stand rejected and form the basis of this appeal.

STATUS OF AMENDMENTS

No amendment to the claims has been entered subsequent to the Office Action dated June 11, 2009.

SUMMARY OF CLAIMED SUBJECT MATTER

The present invention provides a customer relationship management (CRM) system that is accessible via a network. Below is a concise explanation of the subjected matter defined in the claims which are each involved in this Appeal. In addition, the summary points out elements in the figures that correspond to claim features as well as sections in the specification that discuss the features.

Claim 1 claims a customer relationship management (CRM) system that is accessible via a network (*see e.g.*, p. 5, lns. 2-8, FIG. 1, element 10), comprising: a user interface that provides distributed access for customers and support providers to case information within the CRM system (*see e.g.*, p. 5, lns.14-16, FIG. 1, element 12), wherein the customers and the support providers are separate and distinct institutions (*see e.g*, p. 5, lns. 10-16); and wherein the user interface provides access to a customer case management page for viewing all cases opened for a given customer (*see e.g.*, p. 6, lns. 3-4, FIG. 4, element 30) and a case summary page for viewing details of individual cases stored within the CRM system (*see e.g.*, p. 6, lns. 12-17, FIG. 5, element 42); wherein a customer case includes a request from the customer to the support

provider for support (*see e.g.*, p. 5, lns. 16-17, p. 10, lns. 16-20); a case management system for managing customer cases (*see e.g.*, p. 7, lns. 7-12, FIG. 1, element 14), wherein the case management system includes a system for assigning cases to different tiers within a support provider hierarchy (*see e.g.*, p. 7, lns. 8-21, FIG. 1, element 22); and a compliance tracking system (*see e.g.*, p. 9, lns. 10-11, FIG. 1, element 18) that retrieves previously loaded customer compliance data from a database (*see e.g.*, p. 10, lns. 8-9); wherein the compliance data consists of information related to whether a customer has met certain required pre-set goals set by the CRM system (*see e.g.*, p. 9, ln. 10 – p. 10, ln. 11), compares the compliance data for each customer with predetermined levels to determine customer compliance and provides a compliance indicator on the customer case management page (*see e.g.*, p. 9, lns. 20-24, p. 10, lns. 8-11).

Claim 10 claims a method for providing customer relationship management (CRM) via a computer network (*see e.g.*, p. 5, lns. 2-8, FIG. 1, element 10), comprising: providing a network node that allows distributed access for customers and support providers to a CRM system (*see e.g.*, p. 5, lns.14-16, FIG. 1, element 12); wherein the customers and the support providers are separate and distinct institutions (*see e.g*, p. 5, lns. 10-16); opening a new case within the CRM system when a customer issue occurs (*see e.g.*, p. 5, lns. 16-17, p. 10, lns. 16-20); wherein the customer issue includes a request from the customer to the support provider for support (*see e.g.*, p. 5, lns. 16-17, p. 10, lns. 16-20); adding the new case to a customer case management page (*see e.g.*, p. 6, lns. 3-4, FIG. 4, element 30); displaying a compliance indicator when the customer case management page is viewed (*see e.g.*, p. 9, lns. 19-23, p. 10, lns. 8-11); wherein the compliance indicator is based on information related to whether a customer has met certain required pre-set goals set by the CRM system (*see e.g.*, p. 9, ln. 10 – p. 10, ln. 11), assigning the

new case to a first tier support provider (*see e.g.*, p. 7, lns. 11-16, FIG. 1, element 22);

determining if the first tier support provider can handle the new case (*see e.g.*, p. 7, lns. 17-19);

and escalating the new case to a second tier support provider if the first tier support provider

cannot handle the case (*see e.g.*, p. 7, ln. 22 – p. 8, ln. 10).

Claim 18 claims a program product stored on a recordable medium that provides a

customer relationship management (CRM) tool via the web (*see e.g.*, p. 5, lns. 2-8, FIG. 1,

element 10), comprising: a portal page for providing distributed access on the web for customers

and support providers to case information within the CRM tool (*see e.g.*, p. 5, lns.14-16, FIG. 1,

element 12), wherein the customers and the support providers are separate and distinct

institutions (*see e.g*, p. 5, lns. 10-16); and wherein the portal page provides access to a customer

case management page for viewing all cases opened for a given customer (*see e.g.*, p. 6, lns. 3-4,

FIG. 4, element 30) and a case summary page for viewing details of individual cases (*see e.g.*, p.

6, lns. 12-17, FIG. 5, element 42); wherein a customer case includes a request from the customer

to the support provider for support (*see e.g.*, p. 5, lns. 16-17, p. 10, lns. 16-20); a customer

management module for managing customer cases (*see e.g.*, p. 7, lns. 7-12, FIG. 1, element 14)

and for assigning cases to different tiers within a support provider hierarchy (*see e.g.*, p. 7, lns. 8-

21, FIG. 1, element 22); and a customer compliance module (*see e.g.*, p. 9, lns. 10-11, FIG. 1,

element 18) that retrieves previously loaded customer compliance data from a database (*see e.g.*,

p. 10, lns. 8-9); wherein the compliance data consists of information related to whether a

customer has met certain required pre-set goals set by the CRM system (*see e.g.*, p. 9, ln. 10 – p.

10, ln. 11), compares the compliance data for each customer with predetermined levels to track

customer compliance and displays a compliance indicator on the customer case management

page (*see e.g.*, p. 9, lns. 20-24, p. 10, lns. 8-11).

GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1.   Whether claims 1-26 are unpatentable under 35 U.S.C. 103(a) over Breslin et al. (US Pat. Pub. No. 2004/0098285), in view of Jaskolski (US Pat. Pub. No. 2003/0055684) and further in view of Sarno (US Pat. Pub. No. 2002/0042751).

ARGUMENT

Claims 1-26 are rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Breslin et al. (US Pat. Pub. No. 2004/0098285), hereinafter "Breslin," in view of Jaskolski (US Pat. Pub. No. 2003/0055684), hereinafter "Jaskolski,"and further in view of Sarno (US Pat. Pub. No. 2002/0042751), hereinafter "Sarno."

With regard to independent claim 1 (and similarly claims 10 and 18), Appellants submit that the cited references fail to teach each and every feature presented in the claim. Initially, Appellants point out that Breslin teaches a system for determining and managing privacy risks within an organization. In contrast, the claimed system relates to managing requests from customers to support providers for support on a customer issue. Because Breslin is not even the same type of system, it is difficult to enumerate the many aspects of the claimed invention which Breslin does not disclose. Below, Appellants discuss several of those missing claim elements, all of which illustrate that Breslin does not teach the claimed limitations as argued by the Office.

First, Breslin does not teach a system that provides access to customers and support providers to manage customer cases. As the claims recite, a "customer case" includes a request from the customer to the support provider for support. In the claimed system, a customer can access the Customer Relationship Management (CRM) System when they have a support issue, request support on their issue, and monitor the status of that issue. On the support provider end, a support provider, that is part of a separate and distinct institution from the customer, can also access the CRM system to provide the necessary support for the customer's issue. In contrast, the Breslin system measures and monitors the data privacy assessments of applications across an institution, e.g., a corporation. (*See, e.g.*, Abstract). There are no third party customers in

Breslin who request support regarding an issue from a support provider, and no support providers who provide support to a customer with an issue the customer is having.

Secondly, the claimed invention deals with cases that are opened by a customer or an organization because a customer is having an issue with which they need support. This is not equivalent to the Breslin system where privacy risk assessment is done for a particular application. The Office attempts to equate these two different elements by arguing that because the risk assessment process is done for *new* applications, this can be considered a "new case" as recited in the claims. However, the fact that the assessment is done on a new application, does not make the cases of the claimed system equivalent to the assessments done in the Breslin system. As discussed above, the claimed system is directed to managing cases which arise because a third party customer has a customer service issue and has made a request for support on that issue. This is not equivalent, or even similar, to the Breslin system where an application is assessed to determine if there is a privacy risk, and steps are done to bring the status into compliance.

Thirdly, the claimed invention also includes a compliance tracking system that retrieves previously loaded customer compliance data from a database; wherein the compliance data consists of information related to whether a customer has met certain pre-set goals set by the CRM system. The Office attempts to point to the questionnaire in Breslin that assesses the compliance of a group with requirements of data privacy (including compliance with applicable state and Federal laws*). See e.g.*, Breslin, at [0012]. Again, this data privacy assessment is not equivalent to the claimed invention's compliance tracking system. The claimed invention determines whether a third party customer has met certain goals set by the system, *i.e.*, whether a student has taken the requisite courses, or whether a patient has filled the necessary medical

prescriptions. In contrast, Breslin teaches an assessment of whether a particular application complies with data privacy requirements.

The Office admits that Breslin does not explicitly disclose allowing the customer to access case information, and wherein the customers and the support providers are separate and distinct institutions. The Office cites Jaskolski for disclosure of these elements. Specifically, the Office attempts to equate the separate and distinct customers and support providers in the claimed invention with the patient management system disclosed in Jaskolski. 6/11/09 Office Action, p. 5. Appellants respectfully disagree. Jaskolski's system does not cure the deficiencies noted above with respect to Breslin. For example, Jaskolski's system does not disclose a customer (which the Office appears to equate with the patient in Jaskolski) who makes a request for support from a support provider. In contrast, Jaskolski's system simply allows a patient to access information regarding their medical files and health care progress. Jaskolski is not a customer relationship management system that allows customers to request support from a support provider, and allows support providers to easily manage those requests.

The Office further notes that Breslin and Jaskolski do not explicitly disclose wherein a customer case includes a request from the customer to the support provider for support. (6/11/09 Office Action, p. 6). First, the Office states that Breslin *suggests* such a "request" because the person who is typically assigned with responsibility to assess a particular application and describe the application to system 10 is the manager in charge of the application, and because in Breslin, the customer has an opt out selection for data privacy review, which the Office argues suggests a "request" since if the customer does not opt out for data privacy services, this could be analogous to a request for services. *Id.* Appellants submit that the Office's logic on this point is flawed and Appellants are unclear how the "opt out" selection in Breslin could be equivalent to a

request from a customer to a support provider for support. Secondly, the Office argues that Sarno discloses the "request" of the claimed invention because Sarno provides screen shots of its business tool that allows a user to analyze cost justifications for financial analysis. Again, as with the other cited art, Sarno does not teach or disclose a request from a customer to a support provider for support. Sarno simply provides a system and method for analyzing financial information and providing cost justification analysis. *See e.g.*, Abstract & paras. [0007]-[0010].

For all the reasons set forth above, Appellants submit that the cited references do not teach each and every claimed limitation of claims 1, 10 and 18. Accordingly, Appellants submit that claims 1, 10 and 18, and those claims that depend therefrom, are allowable.

With regard to the Office's other arguments regarding dependent claims, Appellants herein incorporate the arguments presented above with respect to independent claims listed above. In addition, Appellants submit that all dependant claims are allowable based on their own distinct features. However, for brevity, Appellants will forego addressing each of these rejections individually, but reserves the right to do so should it become necessary. Accordingly, Appellants respectfully request that the Office withdraw its rejection.

CONCLUSION

In light of the above, Appellants respectfully submit that claims 1-26 are in condition for allowance.

Respectfully submitted,

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Claim Listing:

1. A customer relationship management (CRM) system that is accessible via a network, comprising:

      a user interface that provides distributed access for customers and support providers to case information within the CRM system, wherein the customers and the support providers are separate and distinct institutions; and wherein the user interface provides access to a customer case management page for viewing all cases opened for a given customer and a case summary page for viewing details of individual cases stored within the CRM system; wherein a customer case includes a request from the customer to the support provider for support;

      a case management system for managing customer cases, wherein the case management system includes a system for assigning cases to different tiers within a support provider hierarchy; and

      a compliance tracking system that retrieves previously loaded customer compliance data from a database; wherein the compliance data consists of information related to whether a customer has met certain required pre-set goals set by the CRM system, compares the compliance data for each customer with predetermined levels to determine customer compliance and provides a compliance indicator on the customer case management page.

2. The CRM system of claim 1, wherein the case management system further includes a notification system for automatically generating emails when a new case is opened.

3. The CRM system of claim 1, wherein the case management system further includes a system that allows support providers to check-in/check-out cases.

4. The CRM system of claim 1, wherein the case management system further includes a set of business rules that determines what level of case information is to be made available to customers and support providers.

5. The CRM system of claim 1, wherein the case management system further includes a set of business rules that determines how cases are to be assigned and escalated among the different tiers of support providers.

6. The CRM system of claim 1, wherein the compliance tracking system includes a set of business rules that determines a compliance risk level for each customer.

7. The CRM system of claim 6, wherein the compliance risk level is selected from the group consisting of: in compliance, in danger of becoming out of compliance, and out of compliance.

8. The CRM system of claim 7, wherein the compliance indicator comprises a traffic light indicator having a green, yellow and red light.

9. The CRM system of claim 6, wherein the compliance tracking system includes a system for creating a new customer case when a predetermined compliance risk level occurs.

10. A method for providing customer relationship management (CRM) via a computer network, comprising:

provising a network node that allows distributed access for customers and support providers to a CRM system; wherein the customers and the support providers are separate and distinct institutions;

opening a new case within the CRM system when a customer issue occurs; wherein the customer issue includes a request from the customer to the support provider for support;

adding the new case to a customer case management page;

displaying a compliance indicator when the customer case management page is viewed; wherein the compliance indicator is based on information related to whether a customer has met certain required pre-set goals set by the CRM system,

assigning the new case to a first tier support provider;

determining if the first tier support provider can handle the new case; and

escalating the new case to a second tier support provider if the first tier support provider cannot handle the case.

11. The method of claim 10, wherein the network node comprises a web portal.

12. The method of claim 10, wherein the compliance indicator determines if the customer is in compliance, at risk of becoming out of compliance, or out of compliance.

13. The method of claim 10, comprising the further step of generating email notifications according to a set of business rules.

14. The method of claim 10, comprising the further step of having an assigned support provider check out the case from the CRM system.

15. The method of claim 10, wherein the step of opening a new case is performed by the customer at the network node.

16. The method of claim 10, wherein the step of opening a new case is initiated automatically when the customer is out of compliance.

17. The method of claim 10, wherein the compliance indicator comprises a traffic light indicator having a green, yellow and red light.

18. A program product stored on a recordable medium that provides a customer relationship management (CRM) tool via the web, comprising:

    a portal page for providing distributed access on the web for customers and support providers to case information within the CRM tool, wherein the customers and the support providers are separate and distinct institutions; and wherein the portal page provides access to a customer case management page for viewing all cases opened for a given customer and a case summary page for viewing details of individual cases; wherein a customer case includes a request from the customer to the support provider for support;

    a customer management module for managing customer cases and for assigning cases to different tiers within a support provider hierarchy; and

    a customer compliance module that retrieves previously loaded customer compliance data

from a database; wherein the compliance data consists of information related to whether a customer has met certain required pre-set goals set by the CRM system, compares the compliance data for each customer with predetermined levels to track customer compliance and displays a compliance indicator on the customer case management page.

19. The program product of claim 18, wherein the case management module further includes a notification system for automatically generating emails when a new case is opened.

20. The program product of claim 18, wherein the case management module further includes a system that allows support providers to check-in/check-out cases.

21. The program product of claim 18, wherein the case management module further includes a set of business rules that determines what level of case information is to be made available to customers and support providers.

22. The program product of claim 18, wherein the case management module further includes a set of business rules that determines how cases are to be assigned and escalated among the different tiers of support providers.

23. The program product of claim 18, wherein the compliance tracking module includes a set of business rules that determines a compliance risk level for each customer.

24. The program product of claim 23, wherein the compliance risk level is selected from the group consisting of: in compliance, in danger of becoming out of compliance, and out of compliance.

25. The program product of claim 23, wherein the compliance indicator comprises a traffic light indicator having a green, yellow and red light.

26. The program product of claim 23, wherein the compliance tracking module includes a system for creating a new customer case when a predetermined compliance risk level occurs.

EVIDENCE APPENDIX

No evidence has been entered and relied upon in the appeal.

RELATED PROCEEDINGS APPENDIX

No decisions rendered by a court or the Board in any proceeding are identified in the related appeals and interferences section.